IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

WP(C).No. 19826 of 2007(I)

PETITIONER:

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1. JAYAKUMAR, AGED 52, S/O.ISSAC,
KAMALA SADAN, VENPAKAL, MULLUVILA P.O.

2. PRAMILA SALINI, AGED 49, W/O.JAYAKUMAR,
RESIDING AT DO. DO.

BY ADV. SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENTS:

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1. THE PRIMARY CO-OPERATIVE AGRICULTURAL
AND RURAL DEVELOPMENT BANK LTD.NO.T.417,
NEYYATTINKARA, REPRESENTED BY ITS SECRETARY.

2. THE SALE OFFICER, THE PRIMARY
CO-OPERATIVE AGRICULTURAL AND RURAL
DEVELOPMENT BANK, LTD.NO.T.417, NEYYATTINKARA.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 TRUE COPY OF NOTICE DTD. 21-05-2007 ISSUED BY R2.

/True copy/

PA to Judge.

K.M.JOSEPH, J.

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WP.(C) No.19826 of 2007

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Dated this the 24th day of August, 2007

JUDGMENT

Petitioners availed a loan. It was not repaid. Petitioners challenge recovery proceedings.

2. I heard learned counsel for the respondents Sri. T.R.Harikumar also.

3. Petitioners claim the benefit of one time settlement scheme and submit that they may be permitted to pay off the amount in easy instalments.

The writ petition is disposed of as follows:

If the petitioners file a representation within ten days from today claiming the benefit of one time settlement scheme, the first respondent will consider and take a decision thereon in accordance with law and communicate the decision to the petitioners within a period of two weeks from the date of receipt of the representation. The petitioners are permitted to pay the amount so quantified in seven equal monthly instalments, the first of which shall be paid on or before 5.10.2007 and

the subsequent instalments on or before the 5th of the succeeding months. If any instalment is defaulted, the petitioners will lose the benefit of this judgment and it will be open to the respondent Bank to proceed against the petitioners in accordance with law.

(K.M. JOSEPH, JUDGE)

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